

SENATE FILE NO. SF0114

Education reform.

Sponsored by: Senator(s) Scott, Bebout, Coe and Perkins

A BILL

for

1 AN ACT relating to education; increasing reading
2 achievement goals; modifying the education resource block
3 grant model; increasing class size components and reducing
4 expenditures; amending foundation account eligibility
5 requirements for class size; reducing nonblock grant
6 education funding as specified; requiring reduction of
7 transportation expenses; limiting special education
8 expenses as specified; authorizing Medicaid reimbursement
9 for special education purposes as specified; reducing
10 school district administration expenses as specified;
11 prohibiting school district hiring as specified; requiring
12 rulemaking; requiring education-related reports; conforming
13 provisions; and providing for an effective date.

14

15 *Be It Enacted by the Legislature of the State of Wyoming:*

16

1 **Section 1.** W.S. 21-3-401(c), 21-9-101(d),
2 21-13-307(a)(iv), 21-13-335(d)(intro) and 42-4-103(a) by
3 creating new paragraph (xxxii) are amended to read:

4
5 **21-3-401. Reading assessment and intervention.**
6

7 (c) Each district shall annually report to the
8 department of education on the progress of each of its
9 schools toward reaching the goal of ~~eighty-five percent~~
10 ~~(85%)~~ ninety percent (90%) of all students reading at grade
11 level upon completion of the third grade. The report shall
12 include longitudinal data on all students in kindergarten
13 through grade three (3), and shall include the percentage
14 of students meeting or exceeding proficiency levels for the
15 reporting period. The reporting shall also include the
16 aggregate number of students identified by the screening
17 instruments in each district by grade. Each school not
18 meeting the ~~eighty-five percent (85%)~~ ninety percent (90%)
19 goal specified under this subsection shall submit an
20 improvement plan to the department. At a minimum, the
21 improvement plan shall outline the district's general
22 strategy for increasing reading proficiency for the next
23 school year and shall specifically address the

1 student-teacher ratio, the use of certified tutors and the
2 use of instructional facilitators in kindergarten through
3 grade three (3) in all schools within the district.

4
5 **21-9-101. Educational programs for schools;**
6 **standards; core of knowledge and skills; special needs**
7 **programs; class size requirements; cocurricular activities.**

8
9 (d) In addition to subsections (b) and (c) of this
10 section, each school district within this state shall
11 endeavor to maintain when practicable, in kindergarten
12 through grade three (3) within the district, an average
13 class size of no more than ~~sixteen (16)~~ seventeen (17)
14 students per teacher in the 2017-2018 school year, eighteen
15 (18) students per teacher in the 2018-2019 school year and
16 nineteen (19) students per teacher in the 2019-2020 school
17 year and each year thereafter, excluding children with
18 disabilities who spend more than fifty percent (50%) of
19 their time outside of regular classroom instruction.

20
21 **21-13-307. Eligibility to share in distribution of**
22 **money from foundation account; mandatory financial**
23 **reporting.**

1

2 (a) Each district which meets the following
3 requirements is eligible to share in the distribution of
4 funds from the foundation account:

5

6 (iv) The district shall provide evidence to the
7 state superintendent that the district has maintained an
8 average student-teacher ratio of not greater than ~~sixteen~~
9 ~~(16)~~ seventeen (17) to one (1) for the 2017-2018 school
10 year, eighteen (18) to one (1) for the 2018-2019 school
11 year and nineteen (19) to one (1) for the 2019-2020 school
12 year and each year thereafter for the aggregate of all
13 classes in kindergarten through grade three (3) in the
14 district in the preceding school year. The requirement of
15 this paragraph may be waived by the department of education
16 for any district that demonstrates insufficient school
17 facility capacity, positive school performance, positive
18 student achievement or for other reasons related to the
19 delivery of the education program to students. This
20 paragraph shall not apply to charter schools established
21 under W.S. 21-3-301 through 21-3-314 or schools designated
22 as exceeding expectations pursuant to W.S.
23 21-2-204(e) (i) (A). Schools designated as exceeding

1 expectations pursuant to W.S. 21-2-204(e)(i)(A) shall
2 notify the department annually of the student teacher
3 ratios for the aggregate of all classes in kindergarten
4 through grade three (3) in the district in the preceding
5 year. The department shall compute the student-teacher
6 ratio and report it to each district not later than March 1
7 of each year. To obtain a waiver under this paragraph, a
8 school district shall apply to the department not later
9 than March 15 of each year. The application shall be based
10 on the student-teacher ratio reported by the department of
11 education, together with any other information required by
12 the department. The department shall approve or deny an
13 application for a waiver under this paragraph not later
14 than April 10 of that year. A waiver approved under this
15 paragraph shall be effective for the school year
16 immediately following the application and approval.

17

18 **21-13-335. Supplemental financial assistance program**
19 **for instructional facilitators and instructional coaches.**

20

21 (d) Financial assistance under this section shall be
22 based upon prior year school level attendance and
23 configuration reports submitted by each eligible school

1 district pursuant to W.S. 21-13-309(m) (iv). Grant amounts
2 shall be computed by the department for the eligible
3 applicant district as if the education resource block grant
4 model contained the following component for instructional
5 facilitators, funded at an amount equal to ~~sixty percent~~
6 ~~(60%)~~ thirty percent (30%) for the 2017-2018 school year
7 and fifteen percent (15%) for each school year thereafter
8 for each full-time equivalent position, prorated up and
9 down from the FTE position level specified for each
10 prototype similar to computational operation of other
11 components within the block grant model:

12

13 **42-4-103. Authorized services and supplies.**

14

15 (a) Services and supplies authorized for medical
16 assistance under this chapter include:

17

18 (xxxii) Special education services delivered
19 pursuant to an individualized education plan.

20

21 **Section 2.** 2011 Wyoming Session Laws, Chapter 185,
22 Attachment "A"(b)(ii), (iii) and (xxxi) is amended to read:

23

1 ATTACHMENT "A"

2

3 ATTACHMENT "A" CONTAINS AN ENUMERATION OF EDUCATION
4 RESOURCE BLOCK GRANT MODEL COMPONENTS SUMMARIZING AND
5 EXECUTING RECOMMENDATIONS CONTAINED IN THE 2010 COST
6 OF EDUCATION STUDY AS FOLLOWS:

7

8 (b) Notwithstanding components specified in the
9 2010 cost of education study accepted by the
10 legislature, the Wyoming education resource block
11 grant model components and the resourcing for those
12 components, as enacted by the legislature, shall be as
13 follows:

14

15 (ii) Class size: ~~16~~17 for grades
16 Kindergarten through 5
17 in school year
18 2017-2018, 18 in
19 2018-2019 and 19 in
20 2019-2020 and each year
21 thereafter;
22 ~~21~~22 for grades 6
23 through 12 in school

1 year 2017-2018, 23 in
2 2018-2019 and 24 in
3 2019-2020 and each year
4 thereafter.

5
6 (iii) Core teachers: Elementary school ADM
7 divided by ~~16~~17 in
8 school year 2017-2018,
9 18 in 2018-2019 and 19
10 in 2019-2020 and each
11 year thereafter;

12 Middle school ADM
13 divided by ~~21~~22 in
14 school year 2017-2018,
15 23 in 2018-2019 and 24
16 in 2019-2020 and each
17 year thereafter;

18 High school ADM divided
19 by ~~21~~22 in school year
20 2017-2018, 23 in
21 2018-2019 and 24 in
22 2019-2020 and each year
23 thereafter.

1

2

(xxxi) Transportation: Effective for the

3

2017-2018 school year

4

and each year

5

thereafter, 95% of prior

6

year actual out of

7

district travel expenses

8

and 100% state

9

reimbursement of other

10

prior year actual

11

expenditures computed in

12

accordance with W.S.

13

21-13-320.

14

15 **Section 3.** A school district shall fill no more than
16 fifty percent (50%) of the total vacancies of the following
17 positions occurring in the district between May 1, 2017 and
18 June 30, 2018: superintendent, assistant superintendent,
19 business manager, central office staff member, secretary,
20 or clerical staff member. Notwithstanding W.S. 21-13-309,
21 the department of education shall not provide funding to
22 school districts for any vacancy not filled pursuant to
23 this subsection.

1

2 **Section 4.** The department of education shall, by June
3 15, 2017, promulgate rules for the 2017-2018 school year to
4 reduce school districts' transportation expenditures
5 relating to operation and maintenance costs by ten percent
6 (10%) below 2015-2016 school year expenditure levels. The
7 department of education shall, by December 31, 2017,
8 promulgate rules for the 2018-2019 school year and each
9 year thereafter to reduce school districts' transportation
10 expenditures relating to operation and maintenance by
11 twenty percent (20%) below 2015-2016 school year
12 expenditure levels. The required transportation expense
13 reductions contained in this section shall be inclusive of
14 required transportation funding reductions contained in
15 section 2 of this act.

16

17 **Section 5.** The department of education shall
18 promulgate rules by December 1, 2017 to reduce special
19 education costs by ten percent (10%) below 2015-2016
20 expenditure levels per school district for the 2018-2019
21 school year and each year thereafter. For the 2017-2018
22 school year, reimbursement for special education services
23 shall not exceed 2015-2016 school year expenditure levels

1 per district. Once the medicaid state plan is amended to
2 allow reimbursement for special education services, school
3 districts may seek reimbursement for allowable
4 expenditures. The medicaid program may seek and receive
5 reimbursement from the school foundation account for the
6 state share of these medicaid expenses.

7

8 **Section 6.** The department of education shall provide
9 a report to the joint education interim committee of the
10 legislature on or before September 1, 2017 on the
11 percentage of second and third grade students, both
12 statewide and on a district level, who read at grade level.
13 The department shall provide the committee with
14 recommendations for improving reading proficiency.

15

16 **Section 7.**

17

18 (a) The department of education shall provide a
19 report to the joint education interim committee of the
20 legislature on or before September 1, 2017 on the
21 percentage of graduates of Wyoming high schools who require
22 remedial course work at the University of Wyoming or any of
23 the Wyoming community colleges. The University of Wyoming,

1 the Wyoming community college commission and the Wyoming
2 community colleges shall provide the department with data
3 necessary to create the report. The department shall
4 provide recommendations to the committee to reduce remedial
5 work required by Wyoming high school graduates. The
6 University of Wyoming, the Wyoming community college
7 commission and the Wyoming community colleges are invited
8 to submit comments and recommendations for inclusion in the
9 report.

10
11 (b) The department of education shall provide a
12 report to the joint education interim committee of the
13 legislature on or before September 1, 2017 on the
14 percentage of Wyoming high school graduates with inadequate
15 math, reading or writing skills to function effectively in
16 jobs suitable for high school graduates. The department
17 shall seek the assistance of the department of workforce
18 services and Wyoming employers, both public and private, to
19 create the report.

20
21 **Section 8.** The state department of education shall
22 provide a report to the joint education interim committee
23 of the legislature on or before September 1, 2017 on the

1 use of non-English language instruction in Wyoming public
2 schools in grades kindergarten through second. The report
3 shall consider the benefits and costs of using instructors
4 who speak the non-English language being taught. The report
5 shall consider the costs of benefits of total immersion
6 programs. The report shall consider the costs and benefits
7 of non-English language programs in relation to mastering
8 English.

9
10 **Section 9.** The state department of education shall
11 provide a report to the joint education interim committee
12 of the legislature on or before September 1, 2017 using
13 available assessment data and other appropriate data
14 aggregating Wyoming students into appropriate groups to
15 allow for comparisons between those groups.

16
17 **Section 10.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

21
22 (END)